



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,334	02/26/2002	Jong-Hyuk Roh	P67658US0	4103
22429 7590 08/27/2007 LOWE HAUPTMAN HAM & BERNER, LLP 1700 DIAGONAL ROAD SUITE 300 ALEXANDRIA, VA 22314			EXAMINER PERUNGAVOOR, VENKATANARAY	
			ART UNIT 2132	PAPER NUMBER
			MAIL DATE 08/27/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/082,334

Applicant(s)

ROH ET AL.

Examiner

Venkat Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-15 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

The Applicant's arguments filed on 7/12/2007 are not persuasive. As Hale(US Patent 2003/0018890) discloses the modification request being generated via the local due diligence that is issued by the user see Par. 0014. That is, the user sets up a local due diligence instead of trusting the third party entirely, and in response the local due diligence checks the validity of certificates and updates/overrides existing certificates to enable access into the local system see Par. 0019.

The local due diligence is not limited to the expiry dates, it also includes the addition of attributes to certificates see Par. 0017. And in this way, the system is better able adapt itself to the new remote user see Par. 0015. And this modification message, or result of the modification is the override certificate see Par. 0020.

However, after careful examination of Claim 6, the message modification request message indicating certificate revocation/suspension/recovery is not supported by Hale nor Buttiker. And prior art fails to accurately capture the recited certificate validity modification request message in the realm of biometrics for the stated purposes.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 2132

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication 2002/0176583 to Buttiker in view of US Patent Publication 2006/0018890 to Hale et al.(hereinafter Hale).

Regarding Claim 1, Buttiker discloses the inputting biometric information through a biometric unit see Fig.1 item 1; generating a certificate validity modification message in response to the request and the inputted biometric information and message to CA to modify the certificate validity see Par. 0054. But fails to explicitly disclose the modifying the validity of certificates and the subsequent messages. However, Hale discloses the modifying of attributes of certificates including the validity and messages of the request see Par. 0012 & Fig. 2 item 206. It would be obvious to one having ordinary skill in the art at the time of the invention to include the modifying of attributes of certificates including the validity in the invention of Buttiker in order to create levels of trust as taught in Hale see Par. 0011.

Regarding Claim 2, Buttiker discloses the inputted information and the request message being encrypted see Par. 0055-0056 & Par. 0062.

Regarding Claim 3, Buttiker discloses the modifying validity of a certificate using biometric information in a public key infrastructure including a registration authority for issuing certificates (see Fig. 1 & Par. 0047 where he discloses handling, validating, and

revoking) after a receiving a message and login information requesting a user that is connected to the system thorough the Internet see Fig. 2 item 200 & Fig. 1 item 57; determining whether the received information is the same as the biometric information in storage see Par. 0040 & Par. 0063-0065. But fails to explicitly disclose the modifying the validity of certificates and the subsequent messages. However, Hale discloses the modifying of attributes of certificates including the validity and messages related to the transaction see Par. 0012 & Par 0019-0020 & Fig. 2 item 206. It would be obvious to one having ordinary skill in the art at the time of the invention to include the modifying of attributes of certificates including the validity in the invention of Buttiker in order to create levels of trust as taught in Hale see Par. 0011.

Regarding Claim 4, Buttiker discloses the checking of integrity of request message see Par. 0054-0055.

Regarding Claim 5, Buttiker discloses the sending of an error message upon failure of user authentication see Par. 0054.

Regarding Claim 7, Buttiker discloses the database storing biometric information of user registered as a member see Par. 0054 & Par. 0062.

Regarding Claim 8 and 12, Buttiker discloses the biometric information being input by the user by a input unit see Fig. 1 item 31.

Regarding Claim 9-11 and 13-15, Buttiker discloses the fingerprint and other biometric data being inputted see Fig. 1 item 31 and 1.

Allowable Subject Matter

Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is 571-

Art Unit: 2132

272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VP/
Venkat Perungavoor
Examiner
Art Unit 2132
August 20, 2007


GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100